

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tu Docket: TSM03-0188
Patent No.: 6,853,024 B1 Serial No.: 10/679,098
Issue Date: 02/08/2005 Filed: 10/03/2003
For: Self-Aligned MIM Capacitor Process for Embedded DRAM

Mail Stop PGPUB
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Request for Refund Under 37 CFR § 1.26

Dear Sir:

The above-referenced patent application has been assessed a fee of \$300.00. For the reasons stated below, Applicant submits that this fee was incorrectly charged due to non-publication of the application and requests a refund.

FACTS:

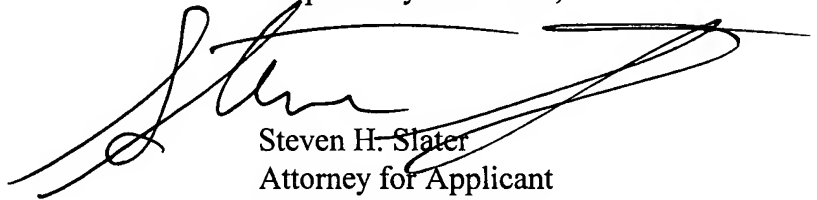
1. The present application was filed on October 3, 2003, and given a projected publication date of April 7, 2005, per the official Filing Receipt mailed December 31, 2003 (copy attached).
2. On January 5, 2005, Applicant authorized the payment of the Issue Fee of \$1400.00 and the Publication Fee of \$300.00 to be charged to Deposit Account No. 50-1065 (copy of Part B – Fee(s) Transmittal attached).
3. On January 5, 2005, Deposit Account 50-1065 was assessed said issue and publication fees (copy of redacted Deposit Account statement attached).
4. The present application issued as U.S. Patent No. 6,853,024 B1 on February 8, 2005, almost two months before the projected publication date. The application was not, in fact, published.

REMARKS:

Applicant respectfully requests that the \$300.00 fee be refunded to Deposit Account No. 50-1065.

If the office should have any questions, it is requested that Applicant's attorney be contacted at the telephone number below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Steven H. Slater', is written over a horizontal line.

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